

**761—163.11(315) Project administration.**

**163.11(1)** *Projects located on primary roads or state park roads.* RISE projects located on primary roads or state park roads shall be administered by the department in conformance with the requirements of Iowa Code chapter 315. The department may delegate part or all of this responsibility to another participating jurisdiction.

**163.11(2)** *Projects located on secondary roads, city streets or county conservation parkways.*

*a. Agreement.* After a funding commitment has been made for a project located on secondary roads, city streets or county conservation parkways, the department shall enter into a project agreement with those local jurisdictions whose roads, streets or parkways are a part of the project. The agreement shall delineate responsibilities for project planning, design, right-of-way, contracting, construction and materials inspection, and documentation. The agreement shall require that a business assisted by the project which acquires or merges with an Iowa corporation within three years following the RISE application shall make a good-faith effort to hire the workers of the merged or acquired company.

*b. Project payments.* Payments from the RISE fund to counties or cities shall be made on a cost reimbursement basis. All known required environmental permits must be granted and regulations met before moneys are released.

*c. Project expenditures incurred prior to agreement.* Project expenditures incurred after the commission has made a funding commitment, but before execution of the agreement, may be eligible for reimbursement if prior written authorization is obtained from the department and an agreement is subsequently executed. However, under no circumstances shall any reimbursement be paid until the agreement has been executed.

*d. Remedies for noncompliance with project agreement.* The commission may revoke funding commitments, require repayment of RISE funds loaned or granted, or take both actions when the county or city has not fulfilled the terms of the project agreement.

**163.11(3)** *Cost overruns.* RISE funds committed for projects are for a maximum dollar amount. Cost overruns shall be the responsibility of the administering jurisdiction.